

R315. Environmental Quality, Solid and Hazardous Waste.

R315-304. Industrial Solid Waste Landfill Requirements.

R315-304-1. Applicability.

~~(1) [Except for a Class IIIB Landfill that receives waste exclusively from on site, the] The requirements of Rule R315-304 apply to each Class III Landfill as specified.~~

~~(2) For a Class IIIB Landfill that receives waste exclusively from on site:~~

~~(a) the requirements of Rule R315-304 become effective July 15, 1999.~~

~~(b) The owner or operator of a landfill may;~~

~~(i) apply to the Executive Secretary for an extension of time beyond July 15, 1999 to meet the requirements of Rule R315-304; and~~

~~(ii) be placed on a compliance schedule by the Executive Secretary.]~~

The above language of the rule is deleted because the date of July 15, 1999 is passed and no longer needed. Also, all Class III Landfills are now operating under the rules and have a permit application submitted to the Executive Secretary.

~~[(3)]~~ (2) The requirements of Rule R315-304 do not apply to the following materials managed at an industrial facility:

(a) fly ash waste, bottom ash waste, slag waste, or flue gas emission control dust generated primarily from the combustion of coal or other fossil fuels;

(b) wastes from the extraction, beneficiation, and processing of ores and minerals;

(c) electric arc furnace slag, open hearth furnace slag, and other slags generated during carbon steel production; and

(d) cement kiln dust.

R315-304-3. Definitions.

Terms used in Rule R315-304 are defined in Section R315-301-2. In addition, for the purpose of Rule R315-304, the following definitions apply.

(1) "Class IIIa Landfill" means ~~[an industrial solid waste]~~ a landfill [that is not open to the general public and] as defined by R315-301-2(9) that may accept:

(a) any nonhazardous industrial waste;

(b) waste that is exempt from hazardous waste regulations under Section R315-2-4; or

(c) conditionally exempt small quantity generator hazardous waste as defined by Section R315-2-5.

(2) "Class IIIB Landfill" means ~~[an industrial solid waste]~~ a landfill [that is not open to the general public and] as defined by R315-301-2(9) that may accept any nonhazardous industrial solid waste except:

Change made to make definitions consistent in rule 301 and 304

(a) waste that is exempt from hazardous waste regulations under Section R315-2-4, excluding Subsections R315-2-4(b)(3), (4), (5), (7), and (14), unless approved by the Executive Secretary; or

(b) conditionally exempt small quantity generator hazardous waste as defined by Section R315-2-5.

~~(3) "Existing Class III Landfill" means:~~

~~(a) for a Class IIIa Landfill and a Class IIIB Landfill that does not receive waste exclusively from on site, an industrial solid waste landfill that began receiving waste on or before January 1, 1998; and~~

~~(b) for a Class IIIB Landfill that receives waste exclusively from on site, an industrial solid waste landfill that began receiving waste on or before July 15, 1999.~~

~~(4) "New Class III Landfill" means:~~

~~(a) for a Class IIIa Landfill and a Class IIIB Landfill that does not receive waste exclusively from on site, an industrial solid waste landfill that began receiving waste after January 1, 1998; and~~

~~(b) for a Class IIIB Landfill that receives waste exclusively from on site, an industrial solid waste landfill that began receiving waste after July~~

Since the dates mentioned in the definitions have past, the definitions of existing and new Class III Landfills are removed from the rule. The definitions of the terms "existing facility" and "new facility" presented in Section R315-301-2 will apply to Class III Landfills.

R315-304-4. Industrial Landfill Location Standards.

- (1) Class IIIa Landfills.
 - (a) A new Class IIIa Landfill shall meet the location standards of Subsection R315-302-1(2).
 - (b) A new Class IIIa Landfill that is proposed on the site of generation of the industrial solid waste or a lateral expansion of an existing Class IIIa Landfill, shall meet the location standards of Subsections R315-302-1(2)(b), (c), (d), and (e) with respect to geology, surface water, wetlands, and ground water.
 - (c) An existing Class IIIa Landfill shall not be subject to the location standards of Subsection R315-302-1(2).
 - (d) An exemption from any location standard of Subsection R315-302-1(2), except the standards for floodplains and wetlands, may be granted by the Executive Secretary on a site specific basis if it is determined that the exemption will cause no adverse impacts to human health or the environment.
 - (i) No exemption may be granted without application to the Executive Secretary.
 - (ii) If an exemption is granted, the landfill may be required to have more stringent design, construction, monitoring program, or operational practice to protect human health or the environment.
- (2) Class IIIb Landfills.
 - (a) A new Class IIIb landfill or a lateral expansion of an existing Class IIIb Landfill shall be subject to the following location standards:
 - (i) the standards with respect to floodplains as specified in Subsection R315-302-1(2)(c)(ii);
 - (ii) the standards with respect to wetlands as specified in Subsection R315-302-1(2)(d); and
 - (iii) ~~[the landfill shall be located so that the lowest level of waste is at least five feet above the historical high level of ground water]~~the standards with respect to ground water as specified in Subsection R315-302-1(2)(e)(i)(B).

The above change increases the required depth to ground water to 10 feet above the historical high level. The 10-foot depth to ground water is consistent with the required depth for other landfills that are not required to be lined.

- (b) For a lateral expansion of an existing Class IIIb Landfill, an exemption from any location standard of Subsection R315-304-4(2)(a) may be granted by the Executive Secretary on a site specific basis if it is determined that the exemption will cause no adverse impacts to human health or the environment.
 - (i) No exemption may be granted without application to the Executive Secretary.
 - (ii) If an exemption is granted, the landfill may be required to have more stringent design, construction, monitoring program, or operational practice to protect human health or the environment.
- (c) An existing Class IIIb Landfill shall not be subject to the location standards of Subsection R315-304-4(2)(a).

R315-304-5. Industrial Landfill Requirements.

- (1) Each Class III Landfill shall meet the following applicable requirements, as determined by the Executive Secretary:
 - (a) the plan of operation requirements of Subsections R315-302-2(2)(a), (b), (c), (d), (g), (i), (j), (k), (l), (m), (n), and (o);
 - (b) the recordkeeping requirements of Subsections R315-302-2(3)(a), (b)(i), (iii), (iv), and (vi);
 - (c) the reporting requirements of Subsection R315-302-2(4); and
 - (d) the inspection requirements of Subsection R315-302-2(5).

(2) Each Class III Landfill shall meet the applicable general requirements for closure and post-closure care of Subsections R315-302-2(6); R315-302-3(2); (3); (4)(a), and (b); (5); (6)(a)(iv) through (vi), (6)(b), and (c); and (7)(a) as determined by the Executive Secretary.

(a) Each Class IIIa Landfill shall meet the closure requirements of Subsection R315-303-3(4).

(b) Each Class IIIb Landfill shall meet the closure requirements of Subsection R315-305-5(5)(b).

(c) If a Class III Landfill is already subject to the closure and post-closure requirements of another Federal or state agency which are as stringent as specified in Subsections R315-304-5(2)(a) or (b), the landfill may be exempt, upon approval of the Executive Secretary, from the closure requirements of Subsections R315-304-5(2)(a) or (b).

(3) Standards for Design.

(a) The owner or operator of a Class III Landfill shall design the landfill to minimize the acceptance of liquids and control storm water run-on/run-off as specified in Subsections R315-303-3(1)(b), (c), and (d).

(b) The owner or operator of a Class III Landfill shall design the landfill to meet the requirements of Subsections R315-303-3(7)(a), (c), (e), (f), (g), (h), and (i) as determined by the Executive Secretary.

(4) Ground Water Monitoring.

(a) The owner or operator of a Class IIIa Landfill shall monitor the ground water beneath the landfill as specified in Rule R315-308.

(b) Subject to the performance standard of Subsection R315-303-2(1), if the owner or operator of a Class IIIa Landfill is monitoring the ground water beneath the landfill and otherwise meeting the requirements of a discharge permit as issued by the Utah Division of Water Quality, the landfill may be exempt, upon approval of the Executive Secretary, from the ground water monitoring requirements of Rule R315-308.

(c) A Class IIIb Landfill is exempt from the ground water monitoring requirements of Rule R315-308.

(5) Standards for Operation.

(a) Each Class IIIa Landfill shall meet the standards of Section R315-303-4 except:

(i) for the requirements of Subsections R315-303-4(2)(f) and R315-303-4(6); and

(ii) may be exempt from the daily cover requirements of Subsection R315-303-4(4) upon the demonstration that an alternate schedule for the covering of waste at the landfill will not present a threat to human health or the environment.

(b) Each Class IIIb Landfill shall meet the requirements for operation in Subsections R315-305-4(7) and R315-305-5(2) through (4) as determined by the Executive Secretary.

(6) Financial Assurance.

(a) The owner or operator of each Class III Landfill shall establish financial assurance as required by Rule R315-309.

(b) If the owner or operator of a Class III Landfill has financial assurance, in effect and active, that covers the costs of closure and post-closure care of the landfill as required by another Federal or state agency which is as stringent as the requirements of Rule R315-309, the landfill may be exempt, upon approval of the Executive Secretary, from the financial assurance requirements of Rule R315-309.

(7) Permit Requirements.

~~[(a)]~~ Each Class III Landfill shall apply for and obtain a permit to operate by meeting the applicable requirements of Rule R315-310.4.

~~[(b)]~~ The contents of a permit application for a Class IIIa Landfill shall be the information required in Section R315-310-4.

~~[(c)]~~ The contents of a permit application for a Class IIIb Landfill shall be the information required in Section R315-310-5.]

KEY: solid waste management, waste disposal

[~~July 1, 2001~~] 2006

Notice of Continuation May 2, 2002

19-6-105

19-6-108

40 CFR 257